

**CLERK'S CERTIFICATE  
OF DEFAULT**

4820-4854-9672, v. 1

**STATEMENT OF SERVICE BY MAIL**

<sup>e</sup>  
To: Garry D. Silver, Esq.  
Sullivan & Worcester  
1633 Broadway  
New York, NY 10019

*As attorneys for Swiss Grill International LLC*

The enclosed summons and complaint are served pursuant to section 312-a of the Civil Practice Law and Rules.

To avoid being charged with the expense of service upon you, you must sign, date and complete the acknowledgement part of this form and mail or deliver one copy of the completed form to the sender within thirty (30) days from the date you receive it. You should keep a copy for your records.

If you do not complete and return the form to the sender within thirty (30) days, you (or the party on whose behalf you are being served) will be required to pay expenses incurred in serving the summons and complaint in any other manner permitted by law, and the cost of such service as permitted by law will be entered as a judgment against you.

If you have received a complaint with this statement, the return of this statement and acknowledgement does not relieve you of the necessity to answer the complaint or petition. The time to answer expires twenty (20) days after the day you mail or deliver this form to the sender.

If you are served on behalf of a corporation, unincorporated association, partnership or other entity, you must indicate under your signature your relationship to the entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

It is a crime to forge a signature or to make a false entry on this statement or on the acknowledgement.

**ACKNOWLEDGEMENT OF RECEIPT OF SUMMONS AND COMPLAINT OR  
SUMMONS AND NOTICE OR NOTICE OF PETITION AND PETITION**

I received a summons and complaint in the above-captioned matter at Sullivan & Worcester, 1633 Broadway, New York, NY 10019.

PLEASE CHECK ONE OF THE FOLLOWING; IF 2 IS CHECKED, COMPLETE AS INDICATED:

- ☒ I am not in military service.
- ☐ I am in military service, and my rank, serial number and branch of service are as follows:


Rank: \_\_\_\_\_ Serial number: \_\_\_\_\_

Branch of Service: \_\_\_\_\_

TO BE COMPLETED REGARDLESS OF MILITARY STATUS:

Date: 9/3/15 (Date this Acknowledgement is executed)

I affirm the above as true under penalty of perjury.

  
Signature

Gerry Silver  
Print name

Swiss Grill Restaurant, LLC  
Name of Defendant for which acting

Outside Counsel  
Position with Defendant for which acting (i.e., officer, attorney, etc.)